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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC, *et al.*,

Debtors.¹

Chapter 11

Case No. 23-10063 (SHL)

Jointly Administered

**MOTION OF DIGITAL CURRENCY GROUP, INC. AND
DCG INTERNATIONAL INVESTMENTS LTD. TO EXCEED THE PAGE LIMIT FOR
THEIR OBJECTION TO CONFIRMATION OF THE DEBTORS' AMENDED PLAN**

1. Digital Currency Group, Inc. (“DCG”) and DCG International Investments Ltd. (“DCGI,” together the “DCG Parties”) submit this motion (the “Motion”) to exceed the page limit for *Digital Currency Group, Inc. and DCG International Investments Ltd.’s Objection to*

¹ The debtors in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number, are: Genesis Global Holdco, LLC (8219) (“GGH”); Genesis Global Capital, LLC (8564) (“GGC”); Genesis Asia Pacific Pte. Ltd. (2164R) (“GAP,” and collectively with GGH and GGC, the “Debtors”). For the purpose of these chapter 11 cases, the service address for the Debtors is 175 Greenwich St., 38th Floor, New York, NY 10007.

Confirmation of the Debtors' Amended Plan (the “**Plan Objection**”)² filed contemporaneously herewith, and respectfully represent as follows:

Background

2. On January 27, 2023, the Court entered the *Order Implementing Certain Notice and Case Management Procedures* (the “**CMO**”) (Docket No. 44). Pursuant to the CMO, “moving and responsive briefs shall be no more than forty (40) pages in length.” CMO, ¶ 6.

3. On October 24, 2023, the Debtors filed an amended chapter 11 plan, commonly referred to as the “No Deal Plan.” *See Debtors' Amended Joint Chapter 11 Plan* (Docket No. 838) (as amended, modified, or supplemented from time to time, the “**Amended Plan**”). The Debtors simultaneously filed a disclosure statement with the Amended Plan. *Amended Disclosure Statement with Respect to the Amended Joint Plain of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code* (Docket No. 839) (as amended, modified, or supplemented from time to time, the “**Disclosure Statement**”).

4. The Debtors revised their proposed chapter 11 plan several times, with the most recent version filed as the Amended Plan on November 28, 2023 (Docket No. 989), which the Court approved for solicitation on December 6, 2023. *See Order Authorizing Debtors' Motion to Approve (I) The Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto* (Docket No. 1027) (the “**Disclosure Statement Order**”) (Docket No. 1031).

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Amended Plan, the Plan Supplement, the Disclosure Statement Order, Disclosure Statement or the Plan Objection (each as defined herein).

5. The DCG Parties object to confirmation of the Amended Plan and have filed their Plan Objection contemporaneously herewith.

Relief Requested

6. The DCG Parties seek entry of an order, substantially in the form attached hereto as **Exhibit A** (the “**Proposed Order**”) authorizing the Plan Objection to exceed the 40-page limitation (the “**Page Limit**”), exclusive of the table of contents and table of authorities, set forth in the Chambers Rules for the Honorable Sean H. Lane (the “**Chambers Rules**”).

7. The DCG Parties respectfully request to extend the Page Limit for the Plan Objection for a total of no more than 50 pages, exclusive of the table of contents and table of authorities.

Jurisdiction and Venue

8. The United States Bankruptcy Court for the Southern District of New York (the “**Court**”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference from the United States District Court for the Southern District of New York, dated February 1, 2012. The DCG Parties confirm their consent, pursuant to Bankruptcy Rule 7008, to the entry of a final order by the Court in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

9. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

Basis for Relief

10. The DCG Parties submit that cause exists to justify the relief requested herein. The DCG Parties’ Plan Objection addresses the Amended Plan’s complex Distribution and Setoff Principles, as well as various other provisions of the Amended Plan, which violate, *inter alia*,

sections 1129(b) and 1129(a)(1), (a)(3), (a)(7), and 502(b) of the Bankruptcy Code. In addition to addressing numerous legal issues, the Plan Objection also addresses a substantial factual record developed over the course of confirmation-related discovery. In light of the complexity of matters pertinent to the Plan Objection, the DCG Parties believe they are unable to provide the Court with the information necessary for the full and fair adjudication of such matters within the page limit prescribed by the CMO entered in this case. Additionally, the DCG Parties believe that the Plan Objection will streamline oral argument at the confirmation hearing because it highlights and responds to issues critical to plan confirmation. Accordingly, the DCG Parties submit that there is ample justification for the relief requested herein.

11. Accordingly, the DCG Parties request that the Court extend the Page Limit for the Plan Objection, which has been filed contemporaneously herewith, so the DCG Parties may adequately address each aspect of the Amended Plan.

Notice

12. The DCG Parties will provide notice of this Motion in accordance with the procedures set forth in the CMO. The DCG Parties submit that, in light of the nature of the relief requested, no other or further notice need be given.

No Prior Request

13. No prior motion for the relief requested herein has been made to this or any other Court.

WHEREFORE, the DCG Parties respectfully request entry of the order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and granting such other relief as is just and proper.

Dated: February 5, 2024
New York, New York

Respectfully submitted,

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and DCG International Investments Ltd.*

Exhibit A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC, *et al.*,

Debtors.¹

Chapter 11

Case No. 23-10063 (SHL)

Jointly Administered

**ORDER AUTHORIZING DIGITAL CURRENCY GROUP, INC. AND DCG
INTERNATIONAL INVESTMENTS LTD. TO EXCEED THE PAGE LIMIT FOR
THEIR OBJECTION TO CONFIRMATION OF THE DEBTORS' AMENDED PLAN**

Upon the motion (the “**Motion**”)² of Digital Currency Group, Inc. (“**DCG**”) and DCG International Investments Ltd. (“**DCGI**,” together the “**DCG Parties**”) for entry of an order authorizing the *Digital Currency Group, Inc. and DCG International Investments Ltd.’s Objection to Confirmation of the Debtors’ Amended Plan* (the “**Plan Objection**”) to exceed the 40-page limitation (the “**Page Limit**”), exclusive of the table of contents and table of authorities, set forth in the Chambers Rules for the Honorable Sean H. Lane, all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the Southern District of New York*, dated February 1, 2012; and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and

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² Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to such terms in the Motion.

this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that no other notice need be provided; and this Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The DCG Parties' Plan Objection may exceed the Page Limit for a total of no more than 50 pages, exclusive of the table of contents and table of authorities.
3. DCG is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.
4. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

New York, New York
Dated: February ___, 2024

THE HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE